

HOUSE BILL 2941

By Windle

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 8, Part 1 and Title 55, Chapter 9, relative to equipment for emergency vehicles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-9-201(b), is amended by deleting the subsection in its entirety and by substituting instead the following language:

(b) Every police, fire department and fire patrol vehicle, and every ambulance and emergency repair vehicle of public service companies used for emergency calls, shall be equipped with a bell, siren, or exhaust whistle of a type approved by the department, or local police authorities in incorporated cities or towns.

SECTION 2. Tennessee Code Annotated, Section 55-9-201(c), is amended by deleting the subsection in its entirety and by substituting instead the following language:

(c) Full and part-time members of regular or volunteer fire departments or volunteer rescue squads may equip their privately owned vehicles to be used in responding to a fire alarm or other emergency with warning devices approved by the local fire chief, upon written certification to the local sheriff or police chief that such person is a member of such department. In the event such warning devices are abused or used for other than their intended purpose by a member of the fire department, the local fire chief shall revoke such member's privilege of using such warning devices and shall notify, in writing, the local sheriff or police chief of such revocation.

SECTION 3. Tennessee Code Annotated, Section 55-9-402(d)(2), is amended by deleting the subdivision in its entirety and by substituting instead the following language:

(2) Any emergency rescue vehicle owned, titled and operated by a state chartered rescue squad, a member of the Tennessee Association of Rescue Squads,

privately owned vehicles of regular or volunteer firefighters or members of rescue squads or volunteer rescue squads certified in 55-9-201(c), and marked with lettering at least three inches (3) in size and displayed on the left and right sides of the vehicle designating it an Emergency Rescue Vehicle, any authorized civil defense emergency vehicle displaying the appropriate civil defense agency markings of at least three inches (3), and any ambulance or vehicle equipped to provide emergency medical services properly licensed as required in the state of Tennessee and displaying the proper markings, shall also be authorized to be lighted in one (1) or more of the following manners:

- (A) A red or red/white visibar type with public address system;
- (B) A red or red/white oscillating type light; and
- (C) Blinking red or red/white lights, front and rear.

SECTION 4. Tennessee Code Annotated, Section 55-9-414, is amended by deleting subsection (e) in its entirety and by substituting instead the following language:

(e) The prohibition of subsection (a) does not apply to privately owned motor vehicles being operated by full-time, reserve or auxiliary police officers of a municipal police department duly authorized by the police chief and qualified pursuant to title 38, chapter 8. Such fulltime, reserve or auxiliary officers operating privately owned vehicles shall be in uniform and carry appropriate identification issued by the police chief.

(f) The prohibition of subsection (a) does not apply to official motor vehicles of the department of correction being operated by correction officers authorized by the commissioner of correction as correctional emergency response team ("CERT"). Such correction officers operating departmental vehicles shall be in uniform and carry appropriate identification issued by the commissioner.

(g) The prohibition of subsection (a) does not apply to privately owned motor vehicles being operated by correction officers authorized by the commissioner of correction as correctional emergency response team ("CERT"). Such correction officer operating such privately owned motor vehicles shall be in uniform and carry appropriate identification issued by the commissioner.

SECTION 5. This act shall take effect July 1, 2008, the public welfare requiring it.